

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

HECTOR LAPORTE,

Petitioner,

v.

DALE ARTUS, Superintendent,

Respondent.

9:06-CV-1459
(GLS/GJD)

HECTOR LAPORTE, Petitioner pro se

THOMAS B. LITSKY, Assistant Attorney General, for Respondent

ORDER

Presently before the court is a request from respondent's counsel for permission to file his response to the petition and other documents related to this action, under seal.¹ The Assistant Attorney General also requests that the petition and all future submissions by the parties be sealed by the court. The court has considered the request and the reasons for the request, and has no objection to counsel's application with some limitation.

The petition itself has already been filed electronically and will have to be removed from the public docket and filed under seal. The petitioner did *not* request that the court seal any documents that he submitted in this action. Thus, although the court will grant respondent's request, the court will afford the petitioner until May 4, 2007 to advise the court if he has any objection to filing the petition under seal.

WHEREFORE, based on this court's review of counsel's request, it is

ORDERED, that respondent may file his response to the petition and all future

¹ I requested that counsel mail the letter to my chambers instead of filing the request electronically.

documents submitted in this case under seal, and it is

ORDERED, that petitioner advise this court **no later than May 4, 2007** if he has any objection to the court filing his petition under seal, and it is

ORDERED, that if petitioner does not respond by May 4, 2007, or petitioner responds and indicates that he has no objection to the sealing of this action, the Clerk is directed to remove the petition from the public docket and file it under seal, and it is further

ORDERED, that if petitioner files timely objections to the sealing of this action, the Clerk is directed to forward those objections, without filing, to me for further consideration of this issue.

Date: April 19, 2007

A handwritten signature in cursive script, reading "G. J. DiBianco", written in black ink.

Hon. Gustave J. DiBianco
U.S. Magistrate Judge